

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 11, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:08 p.m. Mayor Golding recognized and thanked a number of City employees for their support, perseverance and swift action in responding to the flooding in the Tijuana River Valley and in the City of Tijuana. The meeting was adjourned by Mayor Golding at 5:37 p.m. to meet in Closed Session on Tuesday, January 12, 1993, at 9:00 a.m. in the twelfth floor conference room to discuss pending litigation and significant exposure to litigation matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) District 8-vacant
Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) District 8-vacant

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rabbi Eliezer Langer of the San Diego Beth Jacob Congregation.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Presentation of a check for \$13,000 to the City of San Diego by Mary Colacicco, on behalf of the Regional Task Force for the Homeless, which is a result of the fund raising efforts for the Neil Good Day Care Center.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A145-161.)

Motion by Stevens to accept the check. Second by Hartley. Passed. Yeas-1,2,3,4,5,6,7,M. District 8 vacant.

ITEM-PC-2:

Comment by Don Stillwell regarding the Council's need to adhere to a three minute time limit for public comments, rather than a one minute time limit, during City Council Meetings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A162-184.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Scott Himelstern, representing Gene Cross, owner of the Silver Coin Laundromat in La Jolla, regarding the current City policy which prevents any transfer of water credits under any circumstances.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A185-206.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comment by Marilyn Parker, representing the House of Hope, a facility for troubled youth who are currently having a problem with obtaining a variance for a Conditional Use Permit to provide schooling within the facility.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A208-228.)

ITEM-PC-5:

Comment by W. Eric Richmond regarding the Mormon Temple.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A230-249.)

ITEM-PC-6:

Comment by James Aarts supporting the recommendation for occupancy in the new House of Charm given by the Public Facilities and Recreation Committee and the City Manager.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A251-270.)

ITEM-PC-7:

Comment by Art Salzberg regarding Operation No Hope.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A273-312.)

ITEM-PC-8:

Comment by Congressman Bob Filner, of the 50th District in California, asking for permission to address the Council from time to time with reports from Congress and to promise the City Council that he will work for the good of the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A315-467.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Wolfsheimer with regard to an implication made by the San Diego Union Tribune that during her trip to London, while representing the Metropolitan Transit Development Board, she was serving both the MTDB and the City of San Diego. Council Member Wolfsheimer clarified that she did not receive a salary from the City of San Diego during that time.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A483-496.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
12/02/92 Special Meeting
12/07/92 10:00 a.m. Special Meeting
12/07/92 5:00 p.m. Special Meeting
12/08/92
12/08/92 Special Meeting
12/14/92 Adjourned
12/15/92 Adjourned
12/21/92 Adjourned
12/22/92 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A498-503.)

MOTION BY ROBERTS TO APPROVE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-31: PRESENTED

Presentation of the First Annual William Earl Hayden
Project Manager of the Year Award.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A504-606.)

ITEM-32: ANNOUNCED

Announcement of the 1992 Municipal Employees Civic
Responsibility Organization (MECRO) campaign results
and introduction of the MECRO Lottery.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B002-091.)

ITEM-33: PRESENTED

Presentation by Motorola, Inc. to the City of San Diego
in recognition of the City's substantial role in the
development of the new Saber SI 800 MHz Portable Radio.
This radio will be used by all City Public Safety
departments in conjunction with the new \$35 Million
Public Safety Communications System.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B095-243.)

* ITEM-50: (O-93-103) INTRODUCED, TO BE ADOPTED ON JANUARY 25,
1993

Introduction of an Ordinance amending Chapter VII,
Article 1, Division 1, of the San Diego Municipal Code

by amending Section 71.0103, relating to Transportation Demand Management Program Phasing.

(See City Manager Reports CMR-91-526, CMR-92-372, and CMR-92-373.)

COMMITTEE ACTION: Reviewed by T&LU on 12/9/92.

Recommendation to approve the City Manager's recommendation in CMR-92-373 to prepare an amendment to the TDM Ordinance Section 71.0103 delaying implementation to employers with 15-49 employees for a year, pending completion of the regional ordinance. Districts 1, 5 and 6 voted yea. Districts 4 and 7 not present.

CITY MANAGER SUPPORTING INFORMATION: On December 9, 1992, TP&E Committee accepted the TDM Ordinance Annual Review including recommending that the City Manager prepare an amendment to Municipal Code Section 71.0103 for Council action. Section 71.0103 of the City's TDM Ordinance mandates expanding the scope of participation to intermediate employers (those with 15-49 employees at a work site) beginning July 1, 1993. However, the regional program is not likely to include these employers initially. Amending the Ordinance to delay program expansion to intermediate employers will avoid this disparity.

Note: See Item 100 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B455-486; B489-C052.)

CONSENT MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-100: (R-93-1028) ADOPTED AS RESOLUTION R-281314

Accepting the TDM Ordinance Annual Review contained in City Manager's Report CMR-91-526.

CITY MANAGER SUPPORTING INFORMATION: On December 9, 1992, TP&E Committee accepted the TDM Ordinance Annual Review including recommending that the City Manager prepare an amendment to Municipal Code Section 71.0103 for Council action. Section 71.0103 of the City's TDM Ordinance mandates expanding the scope of participation to intermediate employers (those with 15-49 employees at a work site) beginning July 1, 1993. However, the

regional program is not likely to include these employers initially. Amending the Ordinance to delay program expansion to intermediate employers will avoid this disparity.

Note: See Item 50 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-101: (R-93-493) ADOPTED AS RESOLUTION R-281315

Awarding contracts to Burt C. Gentle, Co., Inc., Parron Hall Office Interiors, Gaylord Bros., Persnickety Mfg., Inc., Eastman Inc., S::Two, Inc., Hodkinson Torbensen, and B.K. Cox, Inc., dba Office Pavilion, for furnishings for the Carmel Valley Branch Library; authorizing the expenditure of not to exceed \$117,629.50 from CIP-350700, Carmel Valley Branch Library Fund 79002, Carmel Valley North, FBA, Department No. 30244, Organization No. 106, Object Account No. 4922, and Job Order No. 35070 for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-H3302/93)

Aud. Cert. 9300608.

FILE LOCATION: CONT - Purchase - Burt C. Gentle Co., Inc., Parron Hall Office Interiors, Gaylord Bros., Persnickety Mfg., Inc., Eastman Inc., S::Two, Inc., Hodkinson Torbensen, and B.K. Cox, Inc., dba Office Pavilion CONTFY93-8

COUNCIL ACTION: (Tape location: C102-288.)

MOTION BY WOLFSHEIMER TO ADOPT AND TO ACCEPT COUNCIL MEMBER MCCARTY'S REQUEST TO ADD TO THE MOTION THAT THERE WILL NOT BE ANY NEGOTIATIONS BY THE STAFF ON THE SPECIFICATIONS THAT WERE DISPUTED AND ANY CHANGES TO THAT AGREEMENT WILL HAVE TO COME BACK TO COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District

8-vacant, Mayor Golding-yea.

ITEM-102:

Two actions relative to the Construction of Sewer and Water Main Replacement Group 481:
(Pacific Beach, Grant Hill and Stockton Community Areas. Districts-2, 6 and 8.)

Subitem-A: (R-93-910) ADOPTED AS RESOLUTION R-281316

Inviting bids for the Construction of Sewer and Water Main Replacement Group 481 on Work Order No. 171161/180771; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$1,121,186, from Water Revenue Fund 41500, CIP-73-083, and not to exceed \$292,635, from Sewer Revenue Fund 41506, CIP-44-001, for providing funds for the project and related costs. (BID-K3554/93)

Subitem-B: (R-93-911) ADOPTED AS RESOLUTION R-281317

Authorizing the use of City Forces to make connections and perform operational checks involving the Construction of Sewer and Water Main Replacement Group 481; declaring that the cost of the work shall not exceed \$238,029.

CITY MANAGER SUPPORTING INFORMATION: Water and Sewer Main Replacement Group 481 is part of the on-going Capital Improvement Program to replace old, deteriorated concrete sewer mains and cast iron water mains. Group 481 is located primarily in the Grant Hill and Stockton neighborhoods. In addition, this project will install a short section of new sewer main in Pacific Beach. This new main on Fanuel Street is needed to bypass an undersized crossing through Pacific Beach Elementary School where access for maintenance is difficult. This project has been designed to provide ultimate sewer and water capacity for the area and consists of the installation of 1,040 feet of 8-inch sewer mains and 7,525 of 8-inch water mains.
Aud. Cert. 9300386.
WU-P-92-142.

FILE LOCATION: W.O. 171161/180771 CONT - Mur-Vic
Construction Co. Inc. CONFY93-1

COUNCIL ACTION: (Tape location: C289-316; C340-394.)

MOTION BY STEVENS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-103:

Two actions relative to street dedication - Third Avenue:
(Uptown Community Area. District-2.)

Subitem-A: (R-93-1022) ADOPTED AS RESOLUTION R-281318

Approving the acceptance by the City Manager of those existing dedication rights, previously granted to the City by the County, for public street purposes in a portion of Pueblo Lot 1118 of the Pueblo Lands of San Diego, according to Miscellaneous Map-36; dedicating said land as and for a public street and naming the same Third Avenue.

Subitem-B: (R-93-1023) ADOPTED AS RESOLUTION R-281319

Stating for the record that the final Mitigated Negative Declaration MND-86-0719, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; declaring that the Declaration reflects the independent judgement of the City as Lead Agency and the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the dedication of a portion of Third Avenue; declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study; adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project, in order to mitigate or avoid significant effects on the environment.

FILE LOCATION: DEED F-5953 DEEDFY93-1

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-104: (R-93-1018) ADOPTED AS RESOLUTION R-281320

Adopting the revised Conflict of Interest Code for the City of San Diego's La Jolla Shores Planned District Advisory Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-105: (R-93-1019) ADOPTED AS RESOLUTION R-281321

Adopting the revised Conflict of Interest Code for the Southeast Economic Development Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-106: (R-93-1011) ADOPTED AS RESOLUTION R-281322

Authorizing the execution of a 1992 CDBG agreement with the San Diego Housing Commission for the use of \$950,000 of CDBG funds in accordance with previous City Council fund allocation; authorizing the expenditure of \$950,000 for Housing Rehabilitation.
(See Housing Commission Report.)

Aud. Cert. 9300547.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-107: (R-93-1010) ADOPTED AS RESOLUTION R-281323

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$15,000 from CIP-17-001.0, Annual Allocation - Minor Drain Requirements, TransNet Fund 30300 to CIP-11-250.0, Broadway Storm Drain at 28th Street; authorizing the expenditure of an amount not to exceed \$15,000 from CIP-11-250.0, Broadway Storm Drain at 28th Street, for the purpose of supplementing Resolution R-279983. (Greater Golden Hill Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The existing drain inlets on Broadway, west of 28th Street, readily plugs up with debris due to being undersized. This causes potential water ponding and street flooding. The existing connecting storm drain shows signs of structural failure. This project replaced and upgraded the drain inlets and pipe on Broadway, and sleeved the existing drain to the north. Change Order No. 2 for \$9,688 covers the replacement of damaged and/or displaced existing pavement outside the trench area. This action will transfer \$15,000 from CIP-17-001.0, Annual Allocation - Minor Drain Requirements, to CIP-11-250.0, Broadway Storm Drain at 28th Street, and will cover Change Order No. 2 and related engineering costs.
Aud. Cert. 9300524.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-108: (R-93-1039) ADOPTED AS RESOLUTION R-281324

Authorizing the expenditure of previously unbudgeted funds made available from prior project reimbursements

in an amount not to exceed \$450,000 from the Point Loma Ocean Outfall from CIP-45-920.0, to fund the design of the Metropolitan Sewer System Control System; authorizing the City Manager to finance or refinance this activity with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: Council approval of this action will provide: 1) funding to complete design of the monitoring and control system for the North City Treatment Plant, 2) funding to complete 50 percent design of the Fiesta Island Replacement Project (FIRP) Monitoring and Control System and, 3) for development of general specifications for the installation of conduit for fiber optic cable.

The monitoring and control design work will be done by Boyle Engineering under an existing contract between that firm and the San Diego Data Processing Corporation (SDDPC). SDDPC will issue a new contract for the fiber optic conduit specifications. In both cases the contracts will be funded by the Clean Water Program and managed by SDDPC.

Aud. Cert. 9300607.

WU-CWP-93-059.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C317-339.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-109: (R-93-1020) ADOPTED AS RESOLUTION R-281325

Authorizing the City Manager to enter into a reimbursement agreement with Tierrasanta L-L Partnership for landscaping and related improvements to the Villa Norte Neighborhood Park in Tierrasanta Norte; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$345,844.84 from FBA Fund 79005 to CIP-29-681.0, Tierrasanta Villa Norte Park - Development; authorizing the expenditure of an amount not to exceed \$345,844.84 from CIP-29-681.0, Tierrasanta Villa Norte Park - Development, as follows: \$335,844.84 for landscaping/park improvements, and \$10,000 for preliminary engineering. (Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: On October 6, 1988 the City entered into a Development Agreement with the Tierrasanta L-L Partnership (the Lusk Company) for grading, off site street and utility improvements, and landscaping of Tierrasanta Villa Norte Park. (Document No. 00-17153). The Development Agreement provides in pertinent part, that Developer shall construct the Park for \$350,000 and City shall reimburse the Developer for its costs out of FBA funds. However, this initial estimate of \$350,000 was not adequate to construct a typical neighborhood park at the time it was actually constructed. This agreement will provide for the reimbursement to the Lusk Company of an additional \$335,844.84 which provides funding for the actual cost of the Park. Total cost of park construction is \$685,844.84, which is consistent with typical costs for parks of this size and type, as well as with provisions of the Development Agreement. Aud. Cert. 9300413.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-110:

Two actions relative to replacement of water main in Brighton Avenue:
(Ocean Beach Community Area. District-2.)

Subitem-A: (R-93-1025) ADOPTED AS RESOLUTION R-281326

Authorizing the execution of an amendment to the agreement of September 23, 1991 with Paul T. & Susan I. Sparrow, for installation of PVC water pipe in Brighton Avenue, Ocean Beach; authorizing the expenditure of an amount not to exceed \$3,824.30 from Water Revenue Fund 41502, Water System Construction Program, CIP-73-083.0, to provide funds for this amendment.

Subitem-B: (R-93-1026) ADOPTED AS RESOLUTION R-281327

Stating for the record that Negative Declaration DEP-90-0260, dated August 14, 1990, by the City of San Diego as Lead Agency, has been completed in compliance

with the California Environmental Quality Act of 1970, as amended, and State guidelines; declaring that the Negative Declaration reflects the independent judgement of the City of San Diego as Lead Agency; and the information contained in the final environmental document has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Council approved the original Participation Agreement (Resolution R-278673) with Paul T. and Susan I. Sparrow, individuals, on September 23, 1991. The agreement provided financial reimbursement for the installation of approximately 1,255 feet of 8-inch PVC water pipe in Brighton Avenue, Ocean Beach. The original estimated cost of the total project was \$144,897. Construction of the project is now completed. However, during construction, at the City's direction, an existing fire hydrant in poor condition was removed and replaced with a new fire hydrant, causing costs to exceed the authorized budget by \$3,824.30. Under terms of the original agreement, Paragraph 5, the City will reimburse the contractor for 100 percent of the actual costs of construction. Aud. Cert. 9300556. WU-U-92-138.

FILE LOCATION: WATER - Paul T. & Susan I. Sparrow
CONFY93-1

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-111: (R-93-955) ADOPTED AS RESOLUTION R-281328

Authorizing the execution of a contract with Oscar D. Garcia and Associates, to identify and report businesses that are not paying the business tax or are under-reporting the number of employees, for a term of one year, to be funded from a percentage of the revenues collected as a result of their efforts; authorizing the execution of a contract with Inside Prospects, to identify and report businesses that are not paying the business tax or are under-reporting the number of employees, for a term of one year, to be funded from a percentage of the revenues collected as a result of their efforts; authorizing the expenditure of

an amount not to exceed \$72,000 from Fund No. 100,
Object Account 9544, for the purpose of providing funds
for the above project.

CITY MANAGER SUPPORTING INFORMATION: During budget deliberations in June, 1992, City Council approved the Manager's recommendation to hire contractors to identify businesses operating without a business tax certificate. In August, 1992, the City Treasurer advertised in three local newspapers a request for proposals to identify businesses in violation of San Diego business tax laws. Six firms responded. A panel of City staff and members of the business community reviewed the written proposals and interviewed the candidates. The panel selected Oscar D. Garcia and Associates and Inside Prospects due to their access to business databases, experience performing similar activities, and the soundness of their methods. Inside Prospects will locate and identify scofflaws by using electronic media to compare our business tax database to other business databases. Oscar D. Garcia and Associates will perform this activity via manual methods such as manually reviewing business listings and on-site surveillance.
Aud. Cert. 9300489.

FILE LOCATION: MEET CCONFY93-2

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-112: (R-93-1030) ADOPTED AS RESOLUTION R-281329

Authorizing the execution of an amended agreement with Kaiser Foundation Health Plan, Inc., to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993, and to authorize a premium rate increase as follows:

COVERAGE	MONTHLY PREMIUMS
Employee Only (City Paid)	\$132.44
One Dependent (Employee Paid)	\$132.44
Two or More Dependents (Employee Paid)	\$263.26

CITY MANAGER SUPPORTING INFORMATION: The Kaiser Health Plan with the added prescription coverage was offered to all employees and retirees in August 1990. The premiums for the contract year, August 1, 1992 through July 31, 1993, have increased as shown

below:

COVERAGE	FROM	TO	% INCREASE
Employee Only (City Paid)	\$125.14	\$132.44	+5.8%
One Dependent (Employee Paid)	\$125.14	\$132.44	+5.8%
Two + Dependents (Employee Paid)	\$248.78	\$263.26	+5.8%

There are no other changes.

Aud. Cert. 9300582.

FILE LOCATION: MEET CONTFY93-1

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-113: (R-93-1037) ADOPTED AS RESOLUTION R-281330

Authorizing the execution of a one-year lease agreement with four one-year extensions, with Mr. and Mrs. Hakim Rafiq Alaji, for 1,400 square feet of office space at 2451 Market Street, for the use as a Police Department Community Relations Office, at an initial rent of \$1,170 per month; authorizing the expenditure of an amount not to exceed \$7,020 from Police Department Fund 100, Dept. 110, Org. 485, Object Account 4682, Job 111482, to cover costs for the period of January 1, 1993, to June 30, 1993.
(Logan Heights Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Police Department has operated a Community Relations Office at 2451 Market Street since 1987. The current agreement is scheduled to terminate December 31, 1992, and the Police Department has requested that it be renewed to continue to provide the Logan Heights Community with a storefront operation. Under the renewal agreement, rent will not increase during the one-year renewal term but will remain at the existing monthly rate. A summary of the agreement is as follows:

Location: 2451 Market Street
Term: One-year with four one-year extensions
Rent: \$1,170 per month (.84 per square foot) plus a portion of utilities, subject to an annual CPI adjustment not to exceed five-percent. The rent

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is comparable to market rates in the area.
Date: January 1, 1993.
Size: 1,400 square feet.

FILE LOCATION: LEAS - Mr. and Mrs. Hakim Rafiq Alaji
LEASFY93-1

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-114: (R-93-1035) ADOPTED AS RESOLUTION R-281331

A Resolution approved by the City Council in Closed Session on Tuesday, November 17, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Mayor-yea; Filner-not present. Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage of Julie Klements; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to Luth and Turley Construction, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the full and final settlement of the property damage claim of Julie Klements as a result of the incident of March 12, 1992.

Aud. Cert. 9300578.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-200: (O-93-84) REFERRED TO RULES COMMITTEE

(Continued from the meeting of December 8, 1992, Item 53, at Mayor Golding's request, due to a problem with the legal opinion.)

Amending Chapter V, Article 1 of the San Diego Municipal Code, by adding Division 20 and Sections 52.2001, 52.2002, and 52.2003, relating to Custody of Firearms at Domestic Violence Scenes and Suspension and Revocation of Firearm Permits.
(Introduced on 11/16/92. Council voted 7-1. District 1 voted nay. District 2 not present.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B266-443.)

Motion by McCarty to continue. No second.

Motion by McCarty to return to the City Attorney pending State action. No second.

Motion by Wolfsheimer to continue indefinitely. No second.

MOTION BY McCARTY TO REFER TO THE RULES COMMITTEE FOR A HEARING IN SIX MONTHS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-201:

Two actions relative to Scripps Miramar Ranch Neighborhood Park:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-93-908) ADOPTED AS RESOLUTION R-281332

Inviting bids for Scripps Miramar Ranch Neighborhood Park on Work Order No. 119222; authorizing the City Manager to execute a contract with the lowest responsible bidder; authorizing the expenditure of \$657,975 from CIP-29-672.0, Scripps Miramar Ranch Neighborhood Park, Scripps/Miramar Special Park Fee Fund No. 11230 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K3542/93)
(Prime construction contract \$504,301.)

Subitem-B: (R-93-909 Cor. Copy) ADOPTED AS RESOLUTION
R-281333

Certifying that the information contained in DEP-89-0784 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the report reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council; adopting findings made with respect to the project; adopting the Statement of Overriding Considerations; adopting the Mitigation Monitoring and Reporting Program, or alterations to implement changes to the project in order to mitigate or avoid significant effects on the environment; authorizing the Director of the Park and Recreation Department, or designee, to carry out the provisions of the Program, and work with other City departments as necessary in implementing the Program's elements and work plan.

CITY MANAGER SUPPORTING INFORMATION: Scripps Miramar Ranch Neighborhood Park is located east of Miramar Reservoir at the intersection of Mira Lago Way and Mira Lago Terrace. The park is a required population-based park. The site was acquired in 1982 at a cost of \$489,000. The site has an area of 13.41 acres and will yield 2.6 useable acres of park improvements. Significant environmental impacts have been identified in the projects' Environmental Impact Report (EIR) and a Statement of Findings and Overriding Considerations and a Mitigation Monitoring and Reporting Program have been prepared to address them. The General Development Plan (GDP) for the park was approved by the Scripps Miramar Ranch Recreation Council and the Scripps Miramar Ranch Planning Group in 1989. The EIR began the public review period on December 11, 1991 and the Park and Recreation Board approved the GDP on January 16, 1992. Today's Council action will approve the plans and specifications for the park and authorize its construction. The proposed park will provide the community with benefits that override the perceived environmental impacts.

Aud. Cert. 9300545.

FILE LOCATION: W.O. 119222 CONT-Coast Grading Co. Inc.
CONFY93-1

COUNCIL ACTION: (Tape location: C395-D443.)

MOTION BY BEHR TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-202: (R-93-834) ADOPTED AS RESOLUTION R-281334

Approving the Solid Waste Facility Fee recommendations approved by SANDAG on September 25, 1992.
(See SANDAG Report RB-21.)

CITY MANAGER SUPPORTING INFORMATION: The County/Cities Conference on Solid Waste Management held on May 20, 1992, requested that an elected officials' advisory group work with the Cities/County Managers Association (CCMA) to develop recommendations on a number of important solid waste issues, including Solid Waste Facility Fees. SANDAG, serving as the Integrated Waste Management Task Force approved the Solid Waste Facility Fee recommendations and time-line for action by the cities and County at its September 25, 1992, meeting, including a schedule for approval of the Solid Waste Facility Fee recommendations by the cities and County by December 1, 1992. The Solid Waste Facility Fee recommendations will be implemented through their incorporation into the San Diego County Integrated Waste Management Plan which is required by state law to be adopted by the County and a majority of the region's cities with a majority of the incorporated population. Solid Waste Facility Fees are intended to be disbursed to the host jurisdiction when a new facility begins operating. Payments to existing facilities would begin at a mutually agreed upon date. The Solid Waste Facility fee should be a flat fee with periodic increases.

The recommended initial fee in 1992 is: Landfill - \$2.80/ton (10% of the tipping fee), Mixed Material Resource Recovery Facility - \$2.10/ton (7.5% of the tipping fee), Transfer Station - \$1.40/ton (5% of the tipping fee).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E271-493.)

MOTION BY McCARTY TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-203:

Three actions relative to the proposed Lake
Ranger/Diver Program:
(See City Manager Report CMR-93-02. San Diego County.
Districts-1, 5 and 7.)

Subitem-A: (O-93-104) REFERRED TO BUDGET PROCESS

First public hearing in the matter of:

Amending Ordinance O-17807 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for
the Fiscal Year 1992-93 and Appropriating the Necessary
Money to Operate the City of San Diego for said Fiscal
Year" by amending the personnel authorization of the
Water Utilities Department (700), Ranger/Diver Program,
by increasing the number of authorized Ranger/Diver
positions from 9 to 14.

NOTE: See Item 330 on docket of Tuesday, January
12, 1993, for the introduction and adoption
of the Ordinance.

Subitem-B: (R-93-1047) ADOPTED AS AMENDED AS
RESOLUTION R-281341

Amending Council Policy 400-3 regarding the
Self-Sustained Reservoir Recreation Program.

Subitem-C: (R-93-1046) REFERRED TO PF&R

Authorizing the City Manager, to negotiate for future
City Council approval, an agreement with the California
Department of Food and Agriculture for the
implementation of a revised Hydrilla Eradication
Program that would rely primarily on biological and
physical controls.

FILE LOCATION: Subitems A & C: AGENDA; Subitem B:
MEET CONTFY93-1

COUNCIL ACTION: (Tape location: D449-E270.)

Subitem A:
MOTION BY McCARTY TO REFER SUBITEM-A TO BUDGET PROCESS AND
TO REQUEST THE CITY MANAGER TO CONSIDER THE ALTERNATIVE OF
MAKING THE POSITIONS SEASONAL RATHER THAN PERMANENT.
Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant,

Mayor Golding-yea.

Subitem B:

MOTION BY McCARTY TO ADOPT AS AMENDED TO ADD THE FOLLOWING LANGUAGE TO THE COUNCIL POLICY: "ASIDE FROM THE PRIMARY PURPOSE OF PROVIDING FOR THE MUNICIPAL WATER SUPPLY, PUBLIC ACCESS, RECREATION AND PROTECTION OF NATURAL WATERSHED, ARE THE MOST VALUABLE PUBLIC BENEFIT OF OUR RESERVOIR SYSTEM."

Second by Stevens. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

Subitem C:

Motion by McCarty to adopt. Second by Stevens. No vote.

MOTION BY WOLFSHEIMER TO REFER TO PF&R UNTIL STAFF FINDS MORE HYDRILLA IN LAKE MURRAY; AT THAT TIME STAFF IS TO WORK ON THIS PROGRAM AND BRING BACK TO COUNCIL. Second by

McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-S400: (R-93-1430) ADOPTED AS RESOLUTION R-281335

Declaring Thursday, January 14, 1993 as "Ira 'Woody' Woods Day" in San Diego and saluting him for his compassion and caring for both animals and people throughout the City of San Diego.

(Docketed at Councilmember Stevens' request.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B455-486.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S401: (R-93-1097) ADOPTED AS RESOLUTION R-281336

Adoption of a Resolution of the City of San Diego declaring the existence of a State of Emergency; approving the declaration by the City Manager that a

State of Emergency exists.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C055-100.)

MOTION BY McCARTY TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:37 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E504.)